

**DEPARTMENT OF
COMMUNITY AND SENIOR SERVICES**



**REQUEST FOR STATEMENT OF QUALIFICATIONS
(RFSQ)**

**FOR THE PROVISION OF
YOUTH PROGRAM SERVICES**

**Prepared By
County of Los Angeles
Department of Community & Senior Services
Contract Management Division
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**RFSQ #CMD-01-12
March 2012**

Available on the Internet at: <http://css.lacounty.gov/>

*"To Deliver Quality Services to Youth, Adults and Seniors That Promote Independence, Dignity,
Choice and Social Well-Being"*

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YOUTH SERVICES MASTER AGREEMENT**

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1.0 GENERAL INFORMATION

1.1 Scope of Work

- 1.1.1 The County of Los Angeles, Community and Senior Services (CSS) Department is seeking qualified agencies to enter into Master Agreements with the County to provide Youth Program services, which include, but are not limited to the following populations: at-risk/disadvantaged youth, foster care youth, CalWorks/TANF Youth, General Relief, and Probation youth. Such services are to provide year-round, comprehensive services for eligible youth, ages 14-24. County is seeking to enter into Master Agreements with agencies who have demonstrated experience in providing integrated workforce services and outcome-driven performance in the area of unsubsidized job placement.
- 1.1.2 The Request for Statement of Qualifications (RFSQ) process begins with the submission of Statements of Qualifications (SOQ) demonstrating that they meet the minimum qualifications. Qualified proposers will be placed on a Master Agreement list. Subsequently, County will release Work Orders for specific youth programs, and those on the Master Agreement list will be invited to submit a Work Order detailing how they plan on providing services. Successful Work Orders will receive funding for the applicable youth program.

1.2 Overview of Solicitation Document

This Request for Statement of Qualifications (RFSQ) is composed of the following parts:

- **GENERAL INFORMATION:** Specifies the Proposer's minimum qualifications, provides information regarding some of the requirements of the Master Agreement and explains the solicitation process.
- **INSTRUCTIONS TO PROPOSERS:** Contains instructions to Proposers in how to prepare and submit their Statement of Qualifications (SOQ).
- **STATEMENT OF QUALIFICATIONS (SOQ) REVIEW/SELECTION/QUALIFICATION PROCESS:** Explains how the SOQ will be reviewed, selected and qualified.
- **APPENDICES:**
 - **A - REQUIRED FORMS:** Forms contained in this section must be completed and included in the SOQ.

- **B - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to department requesting a Solicitation Requirements Review.
- **C - COUNTY OF LOS ANGELES POLICY OF DOING BUSINESS WITH SMALL BUSINESS:** County policy.
- **D - JURY SERVICE ORDINANCE:** County policy.
- **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
- **F - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
- **G - SAFELY SURRENDERED BABY LAW:** County program.
- **H - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County Code.
- **I - CALIFORNIA CHARITIES REGULATION:** State of California regulation.
- **J - MASTER AGREEMENT:** This will be the Master Agreement used for this solicitation. The terms and conditions shown in the Master Agreement are not negotiable.
- **K - STATEMENT OF WORK:** Statement of Work explains in detail the work to be performed in the Master Agreement.
- **L - GLOSSARY OF TERMS**

1.3 Terms and Definitions

Throughout this RFSQ, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in *Appendix J, Master Agreement, Paragraph 2.0, Definitions*.

1.4 Proposer's Minimum Qualifications

Interested and qualified Proposers that meet the Minimum Qualifications stated below are invited to submit an SOQ. Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in *Appendix K, Statement of Work*, of this RFSQ are invited to submit proposal(s), provided they meet the following requirement(s):

- 1.4.1 Proposer must have a minimum of five (5) years of experience contracting directly with a federal, State, County, or municipal government entity, of which three (3) years must be at the capacity of administering a continuum of services to youth between the ages of 14

and 24 years of age.

- 1.4.2 Proposers eligible to apply to this RFSQ shall be local public/government entities, or private non-profit organizations (as defined in §501 (c)(3) of the Internal Revenue Code), or private for-profit organizations.
- 1.4.3 Proposers must provide satisfactory evidence that it has organizational capacity in the following areas:
 - 1.4.3.1 Financial management, including, but not limited to, the ability to collect and report financial data.
 - 1.4.3.2 Recordkeeping, including, but not limited to, the ability to collect and report participant data.
 - 1.4.3.3 Not be disqualified or debarred from participation in government contracting at any level (i.e. federal, State, County).
- 1.4.4 Proposer must provide satisfactory evidence that services will be offered at a location(s) in Los Angeles County easily accessible to youth residing in cities/communities located within the boundaries of the Los Angeles County Area.
- 1.4.5 Proposer must provide satisfactory evidence that its staffing is adequate to meet the objectives of the proposed program. Specifically, Proposer must have (or will have by date of Contract award) a Primary Contract Manager with a minimum of five (5) years of experience managing social or community service-providing government contracts who will be assigned to the Youth Program.

1.5 Intentionally Omitted (Formerly Category Specific Qualifications)

1.6 Master Agreement Process

The objective of this RFSQ process is to secure one or more qualified Proposers to provide Youth program services. Specific tasks, deliverables, etc. will be determined at the time County requests Work Order bids.

- 1.6.1 Master Agreements will be executed with all Proposers determined to be qualified.
 - 1.6.1.2 Proposers who have previously contracted with Community and Senior Services (CSS) for the provision of services that have outstanding audit or monitoring findings must resolve those findings to be eligible for a potential Master Agreement. Resolving findings means CSS accepted the Proposer's corrective action plan and/or the Proposer has reimbursed CSS

for questioned costs. Failure to comply with this provision will be grounds for disqualification.

- 1.6.2 Upon County's execution of these Master Agreements, the qualified Proposers will become County Contractors, and thereafter they may, from time to time, be solicited under competitive conditions to provide as needed Youth Program services under Work Orders to be issued by County.

Work Orders shall include a Statement of Work which shall describe in detail the particular project and the work required for the performance thereof. Payment for all work shall be on a cost reimbursement basis, subject to the Total Maximum Amount specified on each individual Purchase Order. ***The execution of a Master Agreement does not guarantee a Contractor any minimum amount of business.***

1.7 Master Agreement Term

- 1.7.1 The term of the Master Agreement shall be for a period of three (3) years, with the option to extend for up to two (2) additional one (1) year periods, for a term not to exceed five (5) years. Renewal options will be at County's discretion. The term is conditional on the continuing availability of federal and State funds. Funding during the Contract term shall also be contingent upon Contractor's performance as specified in the resulting Master Agreement and ongoing community needs.
- 1.7.2 County will continuously accept SOQs to qualify Proposers throughout the duration of the Master Agreement, including the two (2) additional one (1) year renewal periods. The Master Agreement will become effective upon approval by the Board of Supervisors and execution by the Director of the Community and Senior Services department or designee, and will expire June 30, 2015, unless terminated sooner, or extended.

1.8 County Rights & Responsibilities

The County has the right to amend this RFSQ by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFSQ. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the SOQ not being considered, as determined in the sole discretion of the County. The County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

1.9 Contact with County Personnel

Any contact regarding this RFSQ or any matter relating thereto must be in writing and may be mailed, e-mailed or faxed as follows:

Carol Domingo, Program Manager

3175 W Sixth Street, Room 403

Los Angeles, CA 90020

E-mail address: cdomingo@css.lacounty.gov

If it is discovered that a Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify Proposer's SOQ from further consideration.

1.10 Mandatory Requirement to Register on County's WebVen

Prior to executing a Master Agreement, all potential Contractors must register in the County's WebVen. The WebVen contains the Proposer's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at <http://doingbusiness.lacounty.gov/>.

1.11 County Option to Reject SOQs

The County may, at its sole discretion, reject any or all SOQs submitted in response to this solicitation. The County shall not be liable for any cost incurred by a Proposer in connection with preparation and submittal of any SOQ. The County reserves the right to waive inconsequential disparities in a submitted SOQ.

1.12 Protest Process

1.12.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 1.12.3 below. Additionally, any actual Proposer may request a review of a disqualification of a proposed contract award under such a solicitation, as described respectively in the Sections below. Under any such review, it is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a solicitation or a proposed contract award, as the case may be.

1.12.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on a Proposer protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

1.12.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of any Departmental determination or action should be limited to the following:

- Review of Solicitation Requirements Review (*Reference sub-paragraph 2.4* in the solicitation requirement review)
- Review of a Disqualified SOQ (*Reference sub-paragraph 3.2* in the Review/Selection/Qualification Section)

1.13 Notice to Proposer's Regarding Public Records Act

1.13.1 Responses to this RFSQ shall become the exclusive property of the County. At such time as when County recommends the qualified Proposer(s) to the Board of Supervisors (Board) and such recommendation appears on the Board agenda, all SOQ's submitted in response to this RFSQ, become a matter of public record, with the exception of those parts of each SOQ which are justifiably defined and identified by the Proposer as business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."

1.13.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the SOQ as confidential shall not be deemed sufficient notice of exception. The Proposer must specifically label only those provisions of their respective SOQ which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

1.14 Indemnification and Insurance

Proposer shall be required to comply with the Indemnification provisions contained in *Appendix J, Master Agreement, sub-paragraph 8.22*. Proposer shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in *Appendix J, Master Agreement, sub-paragraphs 8.23 and 8.24*.

1.15 Intentionally Omitted (Formerly SPARTA)

1.16 Injury & Illness Prevention Program (IIPP)

Proposer shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.17 Background and Security Investigations

Background and security investigations of Proposer's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting agreement. In the event background checks are requested to begin work under any resulting agreement, the cost shall be the responsibility of the Proposer. Costs associated with background checks are a reimbursable cost once a Master Agreement and Work Order has been executed.

1.18 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in *Appendix J, Master Agreement, sub-paragraph 7.6* and the Independent Contractor Status provision contained in *Appendix J, Master Agreement, sub-paragraph 8.21* in *Appendix J, Master Agreement*.

1.19 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFSQ, or any competing RFSQ, nor any spouse or economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in *Appendix A, Required Forms Exhibit 3, Certification of No Conflict of Interest*.

1.20 Determination of Proposer Responsibility

1.20.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.

1.20.2 Proposer are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which the Proposer had no knowledge shall not be the basis of a determination that the Proposer is not responsible.

1.20.3 The County may declare a Proposer to be non-responsible for purposes of this Master Agreement if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the

County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

- 1.20.4 If there is evidence that the Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 1.20.5 If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.
- 1.20.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21 Proposer Debarment

- 1.21.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 1.21.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.

- 1.21.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.21.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.
- 1.21.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 1.21.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors.

The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.21.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21.9 *Appendix E* provides a link to the County's website, listing Contractors that are currently on the *Debarment List for Los Angeles County*.

1.22 Proposer's Adherence to County Child Support Compliance Program

Contractors shall 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a Master Agreement or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.23 Gratuities

1.23.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of a Master Agreement or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a Master Agreement.

1.23.2 Proposer Notification to County

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

1.23.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

1.24 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFSQ. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the *Familiarity with the County Lobbyist Ordinance Certification*, as set forth in *Appendix A, Required Forms, Exhibit 6*, as part of their SOQ.

1.25 Federal Earned Income Credit

The Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in *Appendix F, Internal Revenue Service Notice No. 1015*.

1.26 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration of a Master Agreement, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposer's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for a Master Agreement.

Proposers shall complete and return the form, *Attestation of Willingness to Consider GAIN/GROW Participants*, as set forth in *Appendix A, Required Forms, Exhibit 10*, as part of their SOQ.

1.27 County's Quality Assurance Plan

After award of a Master Agreement and subsequent Purchase Order(s), the County or its agent will evaluate the Contractor's performance under the Master

Agreement and Purchase Order on an annual basis. Such evaluation will include assessing Contractor's compliance with all terms in the Master Agreement and performance standards identified in the Purchase Order. Contractor's deficiencies which the County determines are severe or continuing and that may jeopardize performance of this Master Agreement and subsequent Purchase Orders will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Master Agreement and/or Purchase Order in whole or in part, or impose other penalties as specified in the Master Agreement.

1.28 Recycled Bond Paper

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in *Appendix J, Master Agreement, sub-paragraph 8.38*.

1.29 Safely Surrendered Baby Law

The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in *Appendix G* of this solicitation document and is also available on the Internet at www.babysafela.org for printing purposes.

1.30 County Policy on Doing Business with Small Business

1.30.1 The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

1.30.2 The Local Small Business Enterprise Preference Program, requires the Company to complete a certification process. This program and how to obtain certification are further explained in sub-paragraph 1.32 of this Section.

1.30.3 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanation of the Jury Service Program is provided in sub-paragraph 1.31 of this Section.

1.30.4 The County also has a Policy on Doing Business with Small Business that is stated in *Appendix C*.

1.31 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the *Appendix D, Jury Service Ordinance*, and the pertinent jury service provisions of the *Appendix J, Master Agreement, sub-paragraph 8.7*, both of which are incorporated by reference into and made a part of this RFSQ. The Jury Service Program applies to both Contractors and their Subcontractors. SOQs that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.31.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.
- 1.31.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program.

The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 1.31.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the *Contractor Employee Jury Service Program Certification Form and Application for Exception*, as set forth in *Appendix A, Required Forms Exhibit 11*, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

1.32 Local Small Business Enterprise Preference Program

- 1.32.1 In reviewing Work Order Bids, the County will give Local SBE preference to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. A Local SBE is defined as: 1) A business certified by the State of California as a small business and; 2) has had its principal office located in Los Angeles County for a period of at least one year. The business must be certified by the Office of Affirmative Action Compliance as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.
- 1.32.2 To apply for certification as a Local SBE, companies may register at the Office of Affirmative Action Compliance's website at:
<http://oaac.co.la.ca.us/contract/sbemain.html>
- 1.32.3 Certified Local SBEs must request the SBE Preference in each of their Purchase Order Bid responses and may not request the preference unless the certification process has been completed and certification affirmed. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.
- 1.32.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

1.33 Local Small Business Enterprise (SBE) Prompt Payment Program

It is the intent of the County that Certified Local SBEs receive prompt payment for services they provide to County departments. Prompt payment is defined as 15 calendar days after receipt of an undisputed invoice.

1.34 Notification to County of Pending Acquisitions/Mergers by Proposing Company

The Proposer shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Proposer on *Appendix A, Required Forms, Exhibit 1, Proposer's Organization Questionnaire/Affidavit*. Failure of the Proposer to provide this information may eliminate its SOQ from any further consideration.

1.35 Transitional Job Opportunities Preference Program

1.35.1 In reviewing Work Order Bids, the County will give preference to businesses that are certified by the County as Transitional Job Opportunity proposers, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity proposer is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Services Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three most recent annual tax returns to the department with their proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting department.

1.35.2 Transitional Job Opportunities proposers must request the preference in each of their Work Order Bid responses and may not receive the preference until their certification has been affirmed by the applicable department. County must verify the Transitional Job Opportunity proposer certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities proposer.

1.36 Contractor's Obligations as a "Business Associate" Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and as may be revised in the future, as contained in *Appendix J - Master Agreement, Exhibit H*.

1.37 Defaulted Property Tax Reduction Program

The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the *Appendix H, Defaulted Tax Program Ordinance*, and the pertinent provisions of the *Appendix J, Master Agreement, sub-paragraph 8.50 and 8.51*, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with The County's Defaulted Property Tax Reduction Program, *Appendix A, Required Forms, Exhibit 13*. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

1.38 Contractor Alert Reporting Database (CARD)

On April 27, 2010, the Board of Supervisors directed the Chief Executive Office (CEO), Auditor-Controller (A-C), County Counsel (Counsel), and the Director of Internal Services (ISD) to establish a work group to develop a mechanism to alert departments of poorly performing contractors. As a result, the County developed the Contractor Alert Reporting Database (CARD), which uses the County's existing enterprise-based eCAPS System to track poorly performing contractors.

1.39 Contractor's Charitable Activities Compliance

The Supervision of Trustees and Fundraisers for Charitable Purposes Act regulates entities receiving or raising charitable contributions. The "Nonprofit Integrity Act of 2004" (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. By requiring Contractors to complete the *Appendix A*,

Required Forms, Exhibit 12 Charitable Contributions Certification, the County seeks to ensure that all County contractors which receive or raise charitable contributions comply with California law in order to protect the County and its taxpayers. A Contractor which receives or raises charitable contributions without complying with its obligations under California law commits a material breach subjecting it to either contract termination or debarment proceedings or both. (County Code Chapter 2.202)

2.0 INSTRUCTIONS TO PROPOSERS

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their Statement of Qualifications (SOQ).

2.1 County Responsibility

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Master Agreement unless such understanding or representation is included in the Master Agreement.

2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with an SOQ shall be sufficient cause for rejection of the SOQ. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

2.3 RFSQ Timetable

The timetable for this RFSQ is as follows:

- Release of RFSQMarch 30, 2012
- Conference DateApril 10, 2012
- Request for a Solicitation Requirements Review DueApril 13, 2012
- Written Questions DueApril 18, 2012
- Questions and Answers Released.....April 23, 2012
- **SOQ due by 5:00PM (Pacific Time)May 2, 2012**

Those SOQ's submitted by the date identified above will be initially reviewed. Subsequent to this date, SOQ's will be reviewed as they are received to determine a proposer's qualifications; however, there will be no question or conference opportunities other than those identified in Sections 2.5, Proposers' Questions, and 2.6, Proposers Conference, scheduled per this Section 2.3, RFSQ Timetable.

2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting *Appendix B, Transmittal Form to Request a Solicitation Requirements Review* to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document.

2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal.
3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - b. due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposer.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

2.5 Proposers' Questions

Proposers may submit written questions regarding this RFSQ by mail or e-mail to the Contracts Analyst identified below. All questions must be received by the date identified in Section 2.3 of this RFSQ. All questions, without identifying the submitting firm, will be compiled with the appropriate answers and issued as an addendum to the RFSQ.

When submitting questions please specify the RFSQ section number, paragraph number, and page number and quote the passage that prompted the question. This will ensure that the question can be quickly found in the RFSQ. County reserves the right to group similar questions when providing answers.

Questions may address concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposer.

Questions regarding this RFSQ should be emailed to:
jvaldez@css.lacounty.gov

2.6 Proposers Conference

A Proposers Conference will be held to discuss the RFSQ. County staff will respond to questions from potential Proposers. The conference is scheduled as follows:

April 10, 2012, 2:00PM – 4:00PM
Community and Senior Services
3175 W Sixth Street, Room 100
Los Angeles, CA 90020

2.7 Preparation and Format of the SOQ

All SOQs must be bound and submitted in the prescribed format. Any SOQ that deviates from this format may be rejected without review at the County's sole discretion.

The content and sequence of the SOQ must be as follows:

- Table of Contents
- Proposer's Qualifications (Section A)
- Required Forms (Section B)
- Proof of Insurability (Section C)
- Proof of Licenses (Section D)

2.7.1 Table of Contents

The Table of Contents must be a comprehensive listing of material included in the SOQ. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

2.7.2 Proposer's Qualifications (Section A)

Demonstrate that the Proposer's organization has the experience to perform the required services. The following sections must be included:

A.1. Proposer's Background and Experience

The Proposer shall complete, sign and date the *Appendix A, Required Forms, Exhibit 1, Proposer's Organization Questionnaire/Affidavit*. **The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a Master Agreement.** Provide a summary of relevant background information to demonstrate that the Proposer meets the minimum qualifications stated in sub-paragraph 1.4 of this RFSQ and has the capability to perform the required services as a corporation or other entity.

Taking into account the structure of the Proposer's organization, Proposer shall determine which of the below referenced supporting documents the County requires. If the Proposer's organization does not fit into one of these categories, upon receipt of the SOQ or at some later time, the County may, in its discretion, request additional documentation regarding the Proposer's business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of SOQ submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

Required Support Documents:

Corporations or Limited Liability Company (LLC):

The Proposer must submit the following documentation with the SOQ:

- 1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- 2) A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

Limited Partnership:

The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

Proposer's Experience Meeting DOL Performance Measures

Proposer shall fill out and include *Appendix A, Required Forms, Exhibit 2, Proposer's Experience Verification Form* to demonstrate they meet the minimum mandatory requirement as stated in section 1.4.4 of this RFSQ.

A.2. Proposer's References

It is the Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms: *Appendix A, Required Forms, Exhibits 7 and 8*.

County may disqualify a Proposer if:

- references fail to substantiate Proposer's description of the services provided; or
- references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel, or
- the Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact of normal working hours

The Proposer must complete and include *Appendix A, Required Forms, Exhibits 7, 8 and 9*.

a. *Prospective Contractor References, Exhibit 7*

Proposer must provide at least 3 references where the same or similar scope of services were provided.

b. *Prospective Contractor List of Contracts, Exhibit 8*

The listing must include all Public Entities contracts for the last three (3) years. A photocopy of this form should be used if necessary.

c. *Prospective Contractor List of Terminated Contracts, Exhibit 9*

Listing must include contracts terminated within the past three (3) years with a reason for termination.

C. Proposer's Pending Litigation and Judgments (**Section A.3**)

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

2.7.3 **Required Forms (Section B)**

Include the following forms as provided in *Appendix A, Required Forms*. Complete, sign and date all forms.

Exhibit 1 Proposers Organization Questionnaire/Affidavit

Exhibit 2 Proposer Experience Verification Form

Exhibit 3 Certification of No Conflict of Interest

Exhibit 4 Proposer's Equal Employment Opportunity (EEO) Certification

Exhibit 5 Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information

Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification

Exhibit 7 Prospective Contractor References

Exhibit 8 Prospective Contractor List of Contracts

Exhibit 9 Prospective Contractor List of Terminated Contracts

Exhibit 10 Attestation of Willingness to Consider GAIN/GROW Participants

Exhibit 11 County of Los Angeles Contractor Employee Jury Service Program Certification Form and Application for Exception

Exhibit 12 Charitable Contributions Certification

Exhibit 13 Certification of Compliance with the County's Defaulted Property Tax Reduction Program

2.7.4 **Proof of Insurability (Section C)**

Proposer must provide proof of insurability that meets all insurance requirements set forth in the *Appendix J, Master Agreement, sub-*

paragraphs 8.23 and 8.24. If a Proposer does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should the Proposer be selected to receive a Master Agreement award may be submitted with the SOQ.

2.8 SOQ Submission

- 2.8.1 The original SOQ and three copies shall be organized in a three-ringed binder, and enclosed in a box, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words: **“SOQ FOR YOUTH PROGRAM SERVICES MASTER AGREEMENT”**

The SOQ and any related information shall be delivered by **May 2, 2012 at 5:00 p.m.**, to:

Carol Domingo, Program Manager
Department of Community and Senior Services
3175 W Sixth Street, Room 403
Los Angeles, CA 90020

It is the sole responsibility of the submitting Proposer to ensure that its SOQ is received before the submission deadline. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

- 2.8.2 While rolling (continuous) submissions will be accepted, any proposal received after the initial due date of **May 2, 2012 at 5:00 p.m.**, are subject to the non-appropriations clause set forth in *Appendix J – Master Agreement, sub-paragraph 8.46*. Furthermore, those potential Contractors that submit after the initial due date will not be considered for the first round of available funding, which is expected, though not guaranteed, in January 2013, and will not receive a full 3-year Master Agreement Term.

2.9 Acceptance of Terms and Conditions of Master Agreement

Proposers understand and agree that submission of the SOQ constitutes acknowledgement and acceptance of, and a willingness to comply with, all terms and conditions of the *Appendix J, Master Agreement*.

2.10 SOQ Withdrawals

The Proposer may withdraw its SOQ at any time prior to the date and time which is set forth herein as the deadline for acceptance of SOQs, upon written request for same to the Department Head.

3.0 SOQ REVIEW/SELECTION/QUALIFICATION PROCESS

3.1 Review Process

SOQs will be subject to a detailed review by qualified County staff. The review process will include the following steps:

3.1.1 Adherence to Minimum Qualifications

County shall review the *Appendix A, Required Forms, Exhibit 1, Proposer's Organization Questionnaire/Affidavit*, and determine if the Proposer meets the minimum qualifications as outlined in sub-paragraph 1.4 of this RFSQ.

Failure of the Proposer to comply with the minimum qualifications may eliminate its SOQ from any further consideration. The Department may elect to waive any informality in an SOQ if the sum and substance of the SOQ is present.

3.1.2 Proposer's Qualifications (Section A)

County's review shall include the following:

- Proposer's Background and Experience as provided in Section A.1 of the SOQ.
- Proposer's References as provided in Section A.2. The review will include verification of references submitted, a review of the County's Contract Database, if applicable, reflecting past performance history on County contracts, and a review of terminated contracts.
- A review to determine that Proposer has experience meeting DOL Performance Measures.
- A review to determine the magnitude of any pending litigation or judgments against the Proposer as provided in Section A.3.

3.1.3 Required Forms

All forms listed in RFSQ Section 2, sub-paragraphs 2.7.2 and 2.7.3 must be included in **Section B** of the SOQ.

3.1.4 Proof of Insurability

Review the proof of insurability provided in **Section C** of the SOQ.

3.2 Disqualification Review

An SOQ may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If a Department determines that an SOQ is disqualified due to non-responsiveness, the Department shall notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Disqualification Review is a Proposer;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
3. The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

3.3 Selection/Qualification Process

3.3.1 The Department will generally select Proposers that have experience in providing a broad range of youth program services, as outlined in *Appendix K, Statement of Work*. However, in order to insure the Department has at its disposal a varied pool of qualified Contractors, the Department may offer Master Agreements to Proposers that offer a narrow scope of services in more highly specialized areas.

3.3.2 In addition to the references provided by the Proposer upon submission of their SOQ, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other contracts. This review may result in the disqualification of a Proposer to enter into a Master Agreement with the County.

3.4 Master Agreement Award

Proposers who are notified by the Department that they appear to have the necessary qualifications and experience (i.e., they are qualified) may still not be recommended for a Master Agreement if other requirements necessary for

award have not been met. Other requirements may include acceptance of the terms and conditions of the Master Agreement, and/or satisfactory documentation that required insurance will be obtained. Only when all such matters have been demonstrated to the Department's satisfaction can a Proposer, which is otherwise deemed qualified, be regarded as "selected" for recommendation of a Master Agreement.

The Department will execute Board of Supervisors-authorized Master Agreements with each selected proposer. All Proposers will be informed of the final selections.